

U.S. DISTRICT COURT
CHEYENNE

03 DEC 3 PM 5 38

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

Alan B. Johnson

Maggie Botkins, Deputy Clerk
Julie Hedelson, Court Reporter
Mike Thelen, Law Clerk

December 3, 2003
Cheyenne, WY

Case No. 02-CV-16 AND 02-CV-17

Counsel:

Joette Williams et al

Nick Murdock, Mark Carman, Bill
Slamkowski, Todd Ingram, Scott
Olheiser, Bob Schuster

Plaintiff,

v.

**Vail Resorts Development Company et
al**

Billy Gunn, Peter Rietz, Martha
Rehm, Charles Clay, Pat Murphy,
Chris Yvard, Chris Byrd

Defendant.

COURTROOM MINUTES

Jury Trial
Day 11

Court notified parties that Mrs. Elaine Clark (juror) permanently excused from jury due to death in her family.

Plaintiff's Witnesses

Dr. Sachin R. Shenoy MD (Hendersonville, NC) direct exam by Mr. Schuster - 9:21am - 10:33 am

Side bar conference 10:33 am - 10:41 am

Dr. Sachin R. Shenoy MD direct exam by Mr. Schuster (cont) 10:41am -10:42 am

Recess 10:43 am

Dr. Sachin R. Shenoy MD direct exam by Mr. Schuster (cont) 11:00 am - 11:16 am

Side bar conference 11:16 am - 11:22 am

Dr. Sachin R. Shenoy MD direct exam by Mr. Schuster (cont) 11:22 am - 11:57 am

Lunch Recess 11:58 am - 1:43 pm

Defendant Motion for Mistrial as to personal injury (outside presence of jury) 1:43 pm - argument by Mr. Gunn and Mr. Murphy - 1:48 pm ; argument by Mr. Schuster 1:48 pm - 1:53 pm - Court denies motion for mistrial - 2:05 pm

Court outlines guidelines for the parties:

Damage Experts - experts do not become agents of the parties.

Court will not let experts consider the arguments of opposing experts.

Each expert will be required to express their own opinions.

Court expects the experts to express their skill and opinions to the jury.

Jury returned to courtroom 2:12 pm

Dr. Sachin R. Shenoy MD cross exam by Mr. Gunn 2:12 pm -(used deposition 2:59 pm) - 3:25 pm; Redirect by Mr. Schuster 3:25 pm - 3:27 pm

Hearing outside presence of jury 3:27 pm - 3:29 pm

Recess 3:29 pm

Dr. Sachin R. Shenoy MD Redirect exam by Mr. Schuster (continued) 3:49 pm - 3:51 pm; Recross exam by Mr. Gunn 3:52 pm - 3:53 pm

Erin Bigler PhD, Salt Lake City, UT, Direct exam by Mr. Schuster 3:54 pm - 4:43 pm

Side bar conference 4:43 pm - 4:50 pm

Erin Bigler PhD, Direct Exam by Mr. Schuster (continued) 4:50 pm - 4:55 pm

Side bar conference 4:55 pm - 4:56 pm

Erin Bigler PhD, Direct Exam by Mr Schuster (continued) 4:56 pm - 5:14 pm

Side bar conference 5:14 pm - 5:15 pm

Erin Bigler PhD, Cross Exam by Mr. Gunn 5:15 pm - 5:28 pm; Redirect Exam by Mr. Schuster 5:29 pm - 5:31 pm; Recross by Mr. Gunn 5:31 pm - 5:31 pm

Jury recessed at 5:32 pm

Court adjourned at 5:33 pm